

REMARKS

Claims 2-10 stand rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,576,014 to Mizumoto, et al. ("Mizumoto"). This rejection is respectfully traversed.

At page 3 of the Office Action under the heading "Response to Arguments" at point 1, the Examiner contends the present specification discloses a coating comprising a mixture of water, a binding agent, a sugar and a disintegrating agent. The Examiner further contends Mizumoto discloses the same coating. While the Examiner is correct with respect to Mizumoto, he is incorrect with respect to the instant invention.

The coating of the instant invention does not comprise a mixture of water, a binding agent, a sugar and a disintegrating agent. Rather, as shown in Examples 1-12 of the present specification, a disintegrating agent in a dry-powder state is added gradually to a fluidized bed granulation dryer when the volume of the binder solution has been reduced to 1/3. As the granulating step and the drying step are simultaneously carried out in the fluidized bed granulation dryer, the surface of the core is substantially not wet when the volume of the binder solution is reduced to 1/3.

Thus, the coating of the present invention does not comprise a mixture of water, a binding agent, a sugar and a disintegrating agent, and therefore differs from the coating of Mizumoto.

In addition to the above, a disintegrating agent is an additive agent with a basic function to promote disintegration of a tablet in the stomach or oral cavity into primary or individual particles through loosening adhesions between particles by absorbing water to swell. Once the

disintegrating agent fully absorbs water, the function of the disintegrating agent cannot be fulfilled even after the disintegrating agent dries.

That is why a person skilled in this art would not try to add the disintegrating agent to a coating solution (water solution). Adding a disintegrating agent to a coating solution would destroy the agent's ability to act as a disintegrating agent. That, however, is what Mizumoto teaches at column 13, lines 3-7 and 58-65, as also recognized by the Examiner in the paragraph bridging pages 3-4 of the Office Action. Thus, it is not seen how the Mizumoto agent can act as a disintegrating agent where it is added to a mixture which contains water.

For all the above reasons, applicants respectfully submit that the claimed invention is patentable over Mizumoto.

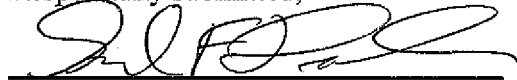
Please deduct the two month extension of time fee of \$490.00, and any additional fees due, from our account No. 50.4798

Dated: April 9, 2009

This correspondence is being submitted electronically through the patent and trademark office EFS filing system on _____.

Customer No. 84,310

Respectfully submitted,



Gerard F. Diebner

Reg. No. 31,345

ALBERT JACOBS LLP

900 Third Avenue, Suite 502

New York, New York 10022

Tel : (212) 508-7533

Fax: (212) 508-7541